

565 of any connection by kin. This presupposes a class of outcasts from the bond of kinship.

There is no evidence of the formation of such a cluster prior to the permanent settlement of the tribe. Neither can we trace its gradual increase from a given time. But a glance at some of the rules of kinship, and at the practical working of these rules finally crystallizing into an equivalent for laws, will enable us to discern its origin.

- [2] The relation of sexes being at the bottom of society based upon kin, it follows that sexual intercourse gradually assumed a regulated shape, proportionate to the progress in institutions. The ancient Mexicans had, as we have already established, advanced into descent in the male line, and had secured a nascent state of the modern family. Marriage was well known to them as a rule. But so powerful was the influence exercised by the kin, as unit of public life that, once the ritual union of a couple acknowledged as a necessity for future joint life, it exacted of its male members the obligation to marry for the purpose of propagating and increasing the kin. Only such as were naturally helpless, and such as in view of "medicine" made vows of permanent [587] chastity, were excused. Any other youth therefore, who refused to take a wife at the proper age, was treated with contempt and consequently expelled from the kin.⁶⁰

562 WOMAN, among the aboriginal Mexicans, was in a singular predicament. Through the establishment of descent in the male line she lost her hold on public life, (which she latterly regained through the establishment of the family proper) and thus remained little else than a chattel in the power of man. Still, the ritual act 562 of marriage being once adopted, the same obligation to marry, 589 which we have already found incumbent upon the male, also devolved upon the female, and any girl therefore, who did not "take vows" for "medicine," or who was physically not mis-

⁶⁰ *Clavigero* (Lib. VII, cap. V, p. 461). *Burita* ("Rapport, etc.," pp 133 and 134) "s'ils ne voulaient pas prendre des femmes, on les congédiait." *Mendieta* (Lib. II, cap. XXIV, p. 126), "Llegados á la edad de casarse, . . . Si pasando la edad se descuidaban, y veian que no se querian casar, tresquilábanlos, y despedíanlos de la compañía de los mancebos." This meant exclusion from the kin since, as soon as they were married, "they were classified, since, according to their custom, they were divided into sections each of which had a chief or captain, as well for the collection of taxes as for other reasons." These "chiefs or captains" were those of the calpulli. *Burita*, (p. 126), also *Bustamante*, ("Texcoco," Part III, cap. III, p. 215), "Cuando se casaban los empadronaban. . . ." *Torguemade* (Lib. IX, cap. XII, p. 186, almost a copy of *Mendieta*).